

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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AMERICAN REINSURANCE COMPANY, *et al.*, :

Plaintiff, :

V. :

AMERICAN INTERNATIONAL GROUP and  
TRENWICK AMERICAN REINSURANCE  
CORPORATION :

Defendants. :

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**PLAINTIFFS' MOTION FOR REMAND  
TO THE SUPERIOR COURT OF MASSACHUSETTS**


Plaintiffs American Reinsurance Company, *et al.*, ("Plaintiffs") for the reasons set forth in the accompanying memorandum of law, respectfully move this Court, pursuant to 28 U.S.C. §1447(c), for an Order remanding this case to the Superior Court of Massachusetts, in and for Suffolk County, Business Litigation Session, on grounds that federal subject matter jurisdiction is lacking under 9 U.S.C. §203 because the parties named in this litigation have not entered an agreement to arbitrate their dispute.<sup>1</sup>

<sup>1</sup> Each Defendant has also filed a motion for stay pending arbitration. Plaintiffs' opposition to these motions will be filed tomorrow October 14, 2005, in accordance with the response time set for those motions by Stipulation to Enlarge filed October 7, 2005.

**REQUEST FOR HEARING**

Pursuant to Local District Court Rule 7.1(D), Plaintiffs request that the Court schedule a hearing with respect to the instant motion as oral argument will be of assistance to the Court in resolving this matter.

By their attorney,

  
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Dated: October 13, 2005

**CERTIFICATE OF SERVICE**

I, Steven L. Schreckinger, counsel for Plaintiffs American Reinsurance Company, *et al.*, hereby certify that on October 13, 2005, I caused a copy of the foregoing document to be served by overnight delivery on all known counsel of record.

  
Steven L. Schreckinger